

COMMISSIONER FOR PATENTS
Washington, D.C. 20231

SERIAL NO. 09/870,610

IBM DOCKET NO. AUS920010361US1

DATE: July 19, 2005

DATE: July 19, 2005

Number of Pages to Follow (including this cover sheet) 15

**RECEIVED
CENTRAL FAX CENTER**

JUL 19 2005

SEND TO: United States Patent Office
Examiner: Bayard, Djenane M.
Group Art Unit: 2141
Tel No: 571-272-3878
Fax No: 571-273-8300

FROM: Joseph T. Van Leeuwen
Van Leeuwen & Van Leeuwen
Registered Patent Attorneys
6123 Pebble Garden Court
Austin, Texas 78739
Tel No: 512-301-6738
Fax No: 512-301-6742

THIS MESSAGE IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY TO WHICH IT IS ADDRESSED, AND MAY CONTAIN INFORMATION THAT IS PRIVILEGED, CONFIDENTIAL AND EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAW. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, OR THE EMPLOYEE OR AGENT RESPONSIBLE FOR DELIVERING THE MESSAGE TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE AND RETURN THE ORIGINAL MESSAGE TO US AT THE ADDRESS ABOVE VIA THE U.S. POSTAL SERVICE. THANK YOU.

Docket No. AUS920010361US1

Serial No. 09/870,610

Atty: DLR / JVL

Applicant: Banerjee, et al.

☒ Transmittal Letter (2 copies)

☒ Certificate of Facsimile

☐ Amendment (pages)

☐ Notice of Appeal

☐ Amendment AF

☐ Appeal Brief (3 copies)

☐ Ext. of Time

☐ Reply Brief

☒ IDS Statement (2 pages)

☐ Change of Address

☒ Form PTO-1449 (Modified)

☒ Other: Copy of reference entitled CCNA Cisco Certified Network Associate (9 pages)

Deposit Acct. No. 09-0447

Fees: Amendment Notice of Appeal Appeal Brief Other \$ 0.00

Atty Ref. No. IBM-1020

**RECEIVED
OICE/IAP**

JUL 20 2005


COMMISSIONER FOR PATENTS
Washington, D.C. 20231

SERIAL NO. 09/870,610

IBM DOCKET NO. AUS920010361US1

DATE: July 19, 2005

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Certificate of Mailing or Transmission	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.	
 Joseph T. Van Leeuwen	<u>7/19/05</u> Date

Sir:

Transmitted herewith for filing is the Patent Application of:

Inventors: Banerjee, et al.

For: System and Method for Extending Server Security Through Monitored Load Management


Enclosed are:

- ☒ Information Disclosure Statement;
- ☒ Modified form 1449 listing 14 references;
- ☒ copies of any non-U.S. Patent references listed on form 1449.

37 CFR § 1.97 is satisfied by the following:

- ☒ This IDS is being filed pursuant to CFR § 1.97(c) and:
 - ☒ is accompanied by the fee set forth in § 1.17(p), please charge my Deposit Account No. 09-0447 the fees set forth in § 1.17(p) [\$180.00]. (a duplicate copy of this sheet is enclosed); and
 - ☒ no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of the information disclosure statement.
- ☒ The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 09-0447. A duplicate copy of this sheet is enclosed.
- ☒ Any additional patent application processing fees under 37 CFR Sect. 1.17.

Respectfully submitted,

By 
Joseph T. Van Leeuwen
Attorney for Applicant
Registration No. 44,383
Telephone: (512) 301-6738
Facsimile: (512) 301-6742

Atty Ref. No. IBM-1020

COMMISSIONER FOR PATENTS
Washington, D.C. 20231

RECEIVED
CENTRAL FAX CENTER SERIAL NO. 09/870,610
DOCKET NO. AUS920010361US1

JUL 19 2005

DATE: July 19, 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: : Group Art Unit: 2141
Banerjee, et. al. : Intellectual Property Law Department
Serial No.: 09/870,610 : International Business
Filed: May 31, 2001 : Machines Corporation
Title: System and Method for Extending : Intellectual Property Law Dept.
Server Security Through Monitored : 11400 Burnet Road
Load Management : Austin, Texas 78758

INFORMATION DISCLOSURE STATEMENT

The Commissioner of Patents
Washington, D.C. 20231

Sir:

Applicants submit herewith patents, publications or other information of which they are aware, which they believe may be material to the examination of this application and in respect of which there may be a duty to disclose in accordance with 37 CFR § 1.56.

While this Information Disclosure Statement may be "material" pursuant to 37 CFR § 1.56, it is not intended to constitute an admission that any patent, publication or other information referred to herein is "prior art" for this invention unless specifically designated as such. In accordance with 37 CFR § 1.97(g) the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR § 1.56 (a) exists.

Applicants note that four patents have been brought to the attention of the undersigned attorney and do not fall under 37 CFR § 1.97(c). Applicants do not represent that these four references are "material" as defined in 37 CFR § 1.56. However, in complying with Applicants duty of candor, Applicants list those references separately below:

Patent No.	Date	Name	Class	Subclass
5,535,375	07/09/1996	Eshel et al.	709	225
6,182,086	01/30/2001	Lomet et al	707	202
6,098,099	08/01/2000	Elleson et al.	709	223
5,675,721	10/07/1997	Freedman et al.	395	129

07/20/2005 NGUYEN1 00000022 090447 09870610

01 FC:1806 180.00 DA

Page 2 of 2

Atty Ref. No. IBM-1020

COMMISSIONER FOR PATENTS
Washington, D.C. 20231

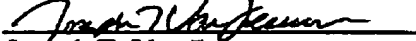
SERIAL NO. 09/870,610

IBM DOCKET NO. AUS920010361US1

DATE: July 19, 2005

The attached form, PTO-1449, provides a listing of patents, publications, or other information as required by 37 CFR § 1.98 (a)(1). A copy of each listed item that is not a U.S. Patent document, is supplied herewith.

Respectfully submitted,

By 
Joseph T. Van Leeuwen
Van Leeuwen & Van Leeuwen
Attorneys for Applicant
Registration No. 44,383
Telephone: (512) 301-6738
Facsimile: (512) 301-6742

Page 2 of 2

Atty Ref. No. IBM-1020

In Place of FORM PTO-1449 (Modified)

Serial No. 09/870,610Applicant: Banerjee, et. al.Filing Date: 5/31/2001Group: 2141Atty. Docket No. AUS920010361US1**LIST OF PATENTS AND PUBLICATIONS FOR
APPLICANT'S INFORMATION DISCLOSURE
STATEMENT****U. S. PATENT DOCUMENTS**

<u>Examiner Initial</u>	<u>Document Number</u>	<u>Date</u>	<u>Name</u>	<u>Classification Class / Subclass</u>	<u>Filing Date if Appropriate</u>
_____	AA 5,878,224	03-1999	Smith, Donald Edward	709/224	
_____	AB 6,101,541	08-2000	Elleson et al.	709/225	
_____	AC 6,230,200	05-2001	Forecast et al.	709/226	
_____	AD 6,484,161	11-2002	Chipalkatti et al.	707/3	
_____	AE 6,694,358	02-2004	Swildens et al.	709/218	
_____	AF 6,707,792	03-2004	Volfsun et al.	370/235	
_____	AG 6,816,903	11-2004	Rakoshitz et al.	709/225	
_____	AH 6,834,297	12-2004	Peiffer et al.	709/219	
_____	AI 6,836,785	12-2004	Bakshi et al.	709/203	
_____	AJ 2002/0101819	08-2002	Goldstone, Jonathan S.	370/229	
_____	AK 2002/0101821	08-2002	Feldmann et al.	370/232	
_____	AL 2002/0103631	08-2002	Feldmann et al.	703/22	
_____	AM 2002/0133586	08-2002	Feldmann et al.	709/224	

FOREIGN PATENT DOCUMENTS

<u>Examiner Initial</u>	<u>Document Number</u>	<u>Date</u>	<u>Country</u>	<u>Classification</u>	<u>Translation Yes No</u>
_____	AN				
_____	AO				
_____	AP				

OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)

<u>Examiner Initial</u>	<u>Document Number</u>	<u>Date</u>	<u>Author, Title, Date, Pertinent Pages, Etc.</u>
_____	AQ		Lammie, T., 2000 SYBEX Inc., CCNA Cisco Certified Network Associate, 2 nd Ed., pp. 327-328,412-416.
_____	AR		
_____	AS		
_____	AT		

Examiner:

Date Considered:

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.